FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.771 OF 2007

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.K.K.Singhvi, Sr.Advocate with Mr.Susheel Mahadeshwar for petitioner.

Mr.Arun Palekar, AGP for respondent No.1.

Ms.Lata S. Desai for respondent No.2.

Mr.Abhishek V. Sawant i/by Little & Co. for respondent No.3.

Mr.A.D.Patwardhan for respondent No.4.

CORAM : H.L GOKHALE, ACTING C.J. &
V.M. KANADE, J.

DATED : 6th February 2007

P.C. :

1. Heard the learned Counsel for the parties.

2. The Petition makes a limited prayer that the employees whose names are listed at Exhibit-A to the Petition, be registered with the 2nd respondent-Board. The Petition also prays that respondent No.3-prnicipal employer should also register its establishment

with respondent No.2-Board. The work which is being taken from these workers is covered under the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981. That being so, it is necessary that the principal employer must register with the Board concerned. This is the limited prayer and number of orders have been passed in similar matters where the principal employers have not registered themselves with the Board.

3. Mr.Patwardhan appearing for respondent No.4-Agency submits that the Agency has applied for exemption. As and when the exemption comes, that is an aspect which is to be gone into by the Government, provided better service conditions are offered. As of now, the request is only limited and in our view, there should not be any difficulty in granting this prayer.

4. Accordingly, we direct

respondent No.2-Board to examine the applications of the Guards as and when they make the same and thereafter the Board will consider those applications for registration. Similarly as far as the principal employer i.e. respondent No.3 is concerned, it must get itself registered with the Board, if respondent No.3 is going to engage the Security Guards.

5. The Guards may make their applications within a week or so and the Board will decide them within four weeks.

6. Petition disposed of with the above order.

(ACTING C.J.)

(V.M. KANADE, J.)